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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,795	03/09/2001	Boyd C. Multerer	MS1-766US	8296
22801	7590	07/14/2004	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			KLIMACH, PAULA W	
			ART UNIT	PAPER NUMBER
			2135	
DATE MAILED: 07/14/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

PR

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/802,795	MULTERER ET AL.	
	Examiner	Art Unit	
	Paula W Klimach	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5-11</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 5, and 69** are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (20010004609 A1).

*In reference to claims 45 and 51-52 and 58*, Walker discloses a method for authentication in a game comprising: storing the authentication information in a database to be used for authenticating (pages 3-4 paragraph 0045).

Walker does not expressly disclose constructing a game console with associated authentication information; and using it for the authentication of the game console after the game console is released from manufacturing.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the serial number of a machine to authenticate the machine. One of ordinary skill in the art would have been motivated to do this because the serial number is a unique identifier and the user uses that particular machine to play the game.

*In reference to claims 1, 5, and 69*, Walker discloses a method and computer readable instructions comprising: initiating an online gaming activity from a gaming system with multiple users (page 8 paragraph 90). The game initializes by loading the player's preferences. The game players are authenticated by providing a unique identifier such as a password (page 3 paragraph

0045 in combination with page 5 paragraph 0066). The central controller is the authentication entity.

Although Walker discloses the authentication of users, Walker does not expressly disclose authenticating the multiple users together in a single request /reply exchange.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to consolidate the authentication of all the players of a single request/reply exchange. One of ordinary skill in the art would have been motivated to do this because it would reduce the amount of communication required to authenticate the players in a game and therefore make the authentication faster.

**Claims 1-4, 6-44, 59-68, 70-74** are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker as applied to claims 1, 5, 45, 51-52, 58, and 69 above, and further in view of Stallings.

*In reference to claims 6, 15-16, 25-26, 28-29, 31-32, 37, 39, 42-44, 59, 67, and 72-74*  
Walker discloses a method and computer readable instructions comprising: initiating an online gaming activity from a gaming system with multiple users (page 8 paragraph 90). The game initializes by loading the player's preferences. The game players are authenticated by providing a unique identifier such as a password (page 3 paragraph 0045 in combination with page 5 paragraph 0066). The central controller is the authentication entity. Walker discloses the possibility of teams playing therefore suggests the possibility of consolidating the authentication of the players using the multiple user identity. The identity of the team performs the function of the multiple user identity.

Although Walker discloses an authentication entity, Walker does not disclose a third party or a ticket issuing entity and therefore submitting a request from a game console to a ticket issuing entity, the request containing a game console identity, and an identity of an online service; returning a ticket from the ticket issuing entity to the game console the ticket containing the game console identity encrypted with a key associated with the online service; passing the ticket from the game console to the online service; and decrypting the ticket at the online service, wherein after the decrypting the authenticity of the multiple users contained in the ticket is trusted.

Stalling teaches the system of Kerberos key exchange comprising submitting a request from a game console to a ticket issuing entity, the request containing a game console identity, and an identity of an online service (page 337 table 11.3 message 3). The message has the identity of the service that the client requires ( $ID_v$ ) and the Ticket, which includes the identity of the client. The ticket issuing entity returns a ticket to the game console the ticket containing the game console identity encrypted with a key associated with the online service (page 337 table 11.3 message 4 especially  $Ticket_v$ ). The game console (client) passes the ticket to the online service (message 5 page 338 paragraph 5); and the online service decrypts the ticket at the online service, wherein after the decrypting the authenticity of the multiple users contained in the ticket is trusted (page 338 paragraph 6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated

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to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

*In reference to claims 2, 33, and 35-36*, Walker discloses a method of authenticating that comprises: submitting a request from the gaming system to the authenticating entity, the request containing identities of the multiple users (Walker page 5 paragraph 0066);

Walker does not disclose returning a reply from the authentication entity to the gaming system that can be used to authenticate the multiple users in the online gaming activity.

Stallings discloses the use of Kerberos as a ticket issuing system where a ticket is sent to the client for authenticating to the server (pages 337 and 338)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stallings in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

*In reference to claims 3, 7, 19, 27, 34, 38, 62-64, and 70-71*, Walker does not disclose a system to distribute a ticket for authentication purposes.

Stalling discloses a method wherein the authenticating comprises forming, at the gaming system a request containing an identity string that includes a gaming system identity, multiple user identities, and an identity of an online service; submitting the request from the gaming system to the authentication entity; creating at the authentication entity, a reply containing the identity string and a session key  $K_{XA}$  to be used in communication between the gaming system

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and the online service, the reply being encrypted with a key associated with the online service; and returning the reply from the authentication entity to the gaming system (pages 337 and 338).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

*In reference to claim 4*, a method wherein the authenticating comprises exchanging messages specified in the Kerberos protocol, the response message containing a ticket having a authorization data field which acknowledges that multiple identities have been authenticated (Stallings page 335).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

*In reference to claim 8*, a method further comprising sending some cryptographically information to prove knowledge of the user's key while submitting the request (Stallings page 337 table 11.3 message 3).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to using cryptographic information to prove knowledge of the user's key as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to

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do this because it is not possible for an opponent to guess the key without knowledge of the encryption keys (Stallings page 338).

*In reference to claims 9, 20, and 65*, Walker discloses a method wherein a time that game, and therefore the ticket, is generated, a second time parameter indicative of when the game (ticket) expires (pages 7 paragraphs 0088-0089).

However Walker does not disclose Kerberos ticket distribution.

Stalling teaches the ticket further includes at least one of the online service identity, and a randomly generated session key to be used in communication between the game console and the online service (table 11.3 page 337).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a randomly generated session key as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it would protect a specific session and change regularly.

*In reference to claim 10*, a method wherein the returning further comprises sending an attached message along with the ticket from the ticket issuing entity to the game console, the message containing a randomly generated session key to be used in communication between the game console and the online service (page 338 paragraphs 5 and 6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a randomly generated session key as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it would protect a specific session and change regularly.



*In reference to claim 11*, a method wherein the attached session message is encrypted with a key associated with the game console (Stalling page 338 paragraphs 5 and 6)..

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to encrypt the session message with a key associated with the game console as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because this would authenticate the server in the mutual authentication process.

*In reference to claims 12 and 22*, a method wherein the passing comprises sending a second message with a current time encrypted with the session key (Stallings page 330 paragraph 3).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a timestamp as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it would prove that the message is timely.

*In reference to claims 13, 23, and 68*, a method wherein the ticket further includes a randomly generated session key and the verifying, at the online service, further comprises: decrypting the ticket using the key associated with the online service to recover the session key; decrypting the second message with the session key to recover the current time; and authenticating the multiple users and the game console in the even that the recovered current time is within an acceptable time window from the current time (Stallings page 338 paragraphs 5-6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a randomly generated session key as in Stalling in the system of Walker.

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One of ordinary skill in the art would have been motivated to do this because it would protect a specific session and change regularly.

*In reference to claim 14*, a method of claim 6, further comprising: sending a reply from the online service to the game console; and verifying, at the game console, an authenticity of the reply (Stallings page 338).

At the time the invention was made, it would have been obvious to send the ticket to the online service as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because the ticket is used for mutual authentication of the server and client.

*In reference to claims 17 and 60* a method wherein the creating comprises computing cryptographic hash digests of user keys associated with the multiple users, each user identity being a combination of the user identity and the cryptographic hash of an associated user key (Walker page 5 paragraph 0066).

*In reference to claims 18 and 61*, a method wherein the creating comprises encrypting a time value using keys associated with the multiple users, each user identity being a combination of the user identity and the current time encrypted with the user key (Stallings page 330 paragraph 3).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to include a timestamp as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it would prove that the message is timely.

*In reference to claims 21 and 66*, a method further comprising encrypting the session key  $K_{XA}$  with a key associated with the game console before the sending of the session key to the game console (Stalling table 11.3 page 337).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to encrypt the session message with a key associated with the game console as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because this would authenticate the server in the mutual authentication process.

*In reference to claim 24*, a method further comprising: sending a reply from the online service to the game console, the reply containing the time value encrypted using the session key  $K_{XA}$ ; and verifying, at the console, an authenticity of the online service in an event that the game console successfully decrypts the time value using the session key  $K_{XA}$ , and the time value returned matches the time value sent to the online service (Stalling page 338 paragraphs 5-6).

At the time the invention was made, it would have been obvious to send the ticket to the online service as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because the ticket is used for mutual authentication of the server and client.

*In reference to claim 30*, a method further comprising sending the ticket to the online service (Stallings page 338).

At the time the invention was made, it would have been obvious to send the ticket to the online service as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because the ticket is used for mutual authentication of the server and client.

*In reference to claim 40*, a method further comprising encrypting the ticket with a key associated with the third party prior to said returning the ticket (Stallings page 338 paragraph 6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to using cryptographic information to encrypt the key with the use of a key associated with the third party as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it is not possible for an opponent to guess the key without knowledge of the encryption keys (Stallings page 338).

*In reference to claim 41*, a method further comprising: generating a session key to be used in communication between the game console and the third party; and sending the session key to the game console (Stallings page 338 paragraphs 5-6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a randomly generated session key as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it would protect a specific session and change regularly.

**Claims 45-58** are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al (20010004609 A1) in view of Rackman (5,592,651) and Stallings.

*In reference to claims 45 and 51-52 and 58*, Walker discloses a method for authentication in a game comprising: storing the authentication information in a database to be used for authenticating (pages 3-4 paragraph 0045).

Walker does not expressly disclose constructing a game console with associated authentication information; and using it for the authentication of the game console after the game console is released from manufacturing.

Rackman discloses the use of the serial number for identifying the game console (column 7 lines 33-52).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the serial number of a machine to authenticate the machine. One of ordinary skill in the art would have been motivated to do this because the serial number is a unique identifier and the user uses that particular machine to play the game.

*In reference to claims 46-47, 54, and 56*, Walker discloses a method of authenticating that comprises: submitting a request from the gaming system to the authenticating entity, the request containing identities of the multiple users (Walker page 5 paragraph 0066);

Walker does not disclose returning a reply from the authentication entity to the gaming system that can be used to authenticate the multiple users in the online gaming activity.

Stallings discloses the use of Kerberos as a ticket issuing system where a ticket is sent to the client for authenticating to the server (pages 337 and 338)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stallings in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

*In reference to claims 48-50, 55, and 57*, Walker does not disclose a system to distribute a ticket for authentication purposes.

Stalling discloses a method wherein the authenticating comprises forming, at the gaming system a request containing an identity string that includes a gaming system identity, multiple

user identities, and an identity of an online service; submitting the request from the gaming system to the authentication entity; creating at the authentication entity, a reply containing the identity string and a session key  $K_{XA}$  to be used in communication between the gaming system and the online service, the reply being encrypted with a key associated with the online service; and returning the reply from the authentication entity to the gaming system (pages 337 and 338).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

*In reference to claims 57, Walker does not disclose a system to distribute a ticket for authentication purposes.*

Stalling discloses a method wherein the authenticating comprises forming, at the gaming system a request containing an identity string that includes a gaming system identity, multiple user identities, and an identity of an online service; submitting the request from the gaming system to the authentication entity; creating at the authentication entity, a reply containing the identity string and a session key  $K_{XA}$  to be used in communication between the gaming system and the online service, the reply being encrypted with a key associated with the online service; and returning the reply from the authentication entity to the gaming system (pages 337 and 338).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Kerberos as a third party authenticating entity for distribution of tickets as in Stalling in the system of Walker. One of ordinary skill in the art would have been motivated

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to do this because it is a system that would provide mediation for the mutual authentication of the server and the client.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W Klimach whose telephone number is (703) 305-8421. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK  
Monday, July 12, 2004

*H. S. B.*  
*AU 2135*